

File: "Foreign Assistance Act" OLC

DISPATCHCLASSIFICATION
S E C R E T

PROCESSING ACTION 74-0365

TO Certain Chiefs of Station and Base	X	MARKED FOR INDEXING <i>leg file</i>
INFO.		NO INDEXING REQUIRED
FROM Chief, [REDACTED] 25X1A		ONLY QUALIFIED DESK CAN JUDGE INDEXING
SUBJECT Limitations on Training and Assistance to Foreign Internal Security Services		MICROFILM

ACTION REQUIRED - REFERENCES

Reference: State Telegram 00841; Subject: Foreign Assistance Act of 1973, Termination of Overseas Police Training and Related Programs of U.S. Assistance; a Joint State/AID/Defense Message

1. The Foreign Assistance Act of 1973 (FAA) severely curtails training and material assistance to the police of foreign countries. In effect, assistance funded by the Act for all phases of law enforcement, other than for narcotics control, is prohibited. The Act does not prohibit training of foreign police officials in the United States. Neither does it prohibit assistance to units whose sole function is combat operations against insurgents or defense of national territory against foreign invasion, nor overseas public safety activities funded by the foreign government. The latter, however, require consideration on a case-by-case basis. (See Reference for additional details).

2. Stations may anticipate liaison requests for assistance now denied foreign governments under the new FAA. The intent of Congress reflected in the conference report is that present programs being conducted by AID in foreign countries may not be transferred to some other agency to avoid the prohibition. The language of the Act is meant to phase out such programs "and the objectives should not be circumvented by using other funds for this purpose."

25X1A 3. [REDACTED] liaison programs are not affected by this law so long as:

25X1A a. they are clearly and specifically in support of accomplishment of the [REDACTED] intelligence collection, counterintelligence or covert action mission and objectives, in support of the narcotics interdiction program, or in support of units whose sole function is that aspect of internal security which may involve combat operations against insurgents; and

b. we do not initiate (or continue) programs whose purpose is simply to replace programs previously funded under the FAA.

(Continued)

E2 IMPDET
CL BY 055272

CROSS REFERENCE TO 25X1A	DISPATCH SYMBOL AND NUMBER [REDACTED]	DATE 15 February 1974
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While assistance to foreign police and security services meeting these two criteria does not contravene the law, we must be sensitive to the intent of Congress with respect to assistance in law enforcement. Programs meeting organization objectives but with substantial involvement in assistance to law enforcement, other than narcotics control and combat operations against insurgents or foreign invasion, should be reported to Headquarters in sufficient detail to permit briefing of our Congressional oversight committees should Headquarters deem this prudent. The Ambassador should be made aware of on-going and contemplated programs which provide advisory, training, and/or material assistance to police or security services.

25X1A 4. AID's International Police Academy (IPA) in Washington will become AID's primary means of training foreign police officials. [REDACTED]

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6. The information provided herein should assist Stations in evaluating liaison requests for assistance and insure appropriate justification for those internal security programs in which we engage.

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